

**PATRICIA YOUNG**  
Claimant

VS.

**CHARLIE'S RESTAURANT**  
Respondent

AND

**UNITED FIRE & CASUALTY**  
Insurance Carrier

Based upon the testimony of Wichita rheumatologist Richard B. Lies, M.D., the Appeals Board finds that the fractures claimant sustained to the bones in her foot on or

about July 24, 1995 are the natural manifestation of her osteoporosis rather than the result of any work activity. Based upon a review of the entire record, the Appeals Board finds claimant has failed to prove for preliminary hearing purposes that she sustained personal injury by accident to her foot which arose out of and in the course of her employment with the respondent.

**WHEREFORE**, it is the finding, decision, and order of the Appeals Board that the preliminary hearing Order entered by Administrative Law Judge Bruce E. Moore dated February 16, 1996, should be, and hereby is, affirmed.

**IT IS SO ORDERED.**

Dated this \_\_\_\_ day of April 1996.

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BOARD MEMBER

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BOARD MEMBER

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BOARD MEMBER

c: Alice Knetsch MacBeth, Wichita, KS  
Gregory D. Bell, Topeka, KS  
Bruce E. Moore, Administrative Law Judge  
Philip S. Harness, Director